

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PEDRO JUAN GARCIA,

Plaintiff,
v.

EAU CLAIRE COUNTY JAIL, et al.

Defendants.

ORDER

Case No. 16-cv-18-jdp

Plaintiff Pedro Juan Garcia, an inmate in the custody of the Eau Claire County Jail, has filed a proposed civil complaint. Plaintiff is an inmate and, therefore, subject to the 1996 Prisoner Litigation Reform Act. Plaintiff has requested leave to proceed without prepayment of the filing fee, and submitted an uncertified inmate transaction statement for January 3, 2016 to support this request. This statement is insufficient to determine whether plaintiff qualifies for indigent status because plaintiff has not submitted a *certified* copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint.

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than February 12, 2016. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Pedro Juan Garcia may have until February 12, 2016 to submit a certified trust fund account statement for the period beginning approximately July 3, 2015 and ending approximately January 3, 2016. If, by February 12, 2016, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 20th day of January, 2016.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge